

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SUZANNE SMEDT, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

THE HAIN CELESTIAL GROUP, INC.,

Defendant.

Case No. [5:12-cv-03029-EJD](#)

ORDER TO SHOW CAUSE

Because several of Plaintiff's remaining claims challenge Defendant's use of the term "natural" on its products, the court intends to stay this action consistent with the Ninth Circuit's opinion filed in Kane v. Chobani, LLC, No. 14-15670, 2016 U.S. App. LEXIS 5517 (9th Cir. Mar. 24, 2016).

Accordingly, the court hereby issues an order to show cause why this action should not be stayed under the primary jurisdiction doctrine until such time as the U.S. Food and Drug Administration completes its proceedings regarding use of the term "natural" in food labeling. If the parties do not, by **April 6, 2016**, demonstrate good cause in writing why this case should not be so stayed, the court will enter such an order. No hearing will be held on the order to show cause unless otherwise ordered by the court.

The Motion to Stay (Dkt. No. 86) is TERMINATED in light of the OSC

IT IS SO ORDERED.

Dated: March 30, 2016



EDWARD J. DAVILA
United States District Judge